

THE DEPARTMENT OF STATE



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January 12, 1959

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The Department of State BULLETIN, a weekly publication issued by the Public Services Division, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes selected press releases on foreign policy, issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, United Nations documents, and legislative material in the field of international relations are listed currently.

A Pledge to the Peoples of the World

Remarks by President Eisenhower¹

My fellow Americans: Tonight I would like to speak not only to you—but for you—to the peoples of the world.

This is the time of year when Christians celebrate the birth of the Founder of their faith. It is also the time when all peoples, regardless of religious belief, look forward with hope to the coming of another year. It is quite appropriate, therefore, to speak tonight of Christmas and of the New Year, for both can bring a new anticipation of a better, a more peaceful world to the hearts and minds of men and women everywhere—of all creeds, of all ideologies, of all nations.

The Christmas message of “peace on earth, good will toward men” is not alone an ideal of Christianity. It is a basic aspiration of Christian, Jew, Moslem, Hindu, Buddhist alike—of every person in the world who has faith in an Almighty God.

It is not limited to us as Americans or even to people of the free world. It is matched in yearning in the innermost thoughts of all peoples. It is a universal, divine spark that lights the soul of mankind.

As we near Christmas and the New Year, I again give my solemn word on

behalf of the American people to all the peoples of the world:

That the people of the United States and their Government do not want war. They want to work steadfastly to make “peace on earth, good will toward men” a reality for all humankind.

The people of the United States do not wish to enslave or control any other nation or any other people. They seek only to enjoy with their fellow men peace—a peace of honor and justice. They respect the rights of all people to do the same.

The United States is strong—and will remain strong—because that is the only way in today’s world that the peace can be protected; but the United States will never use its strength to break the peace.

Though the United States will never retreat in the face of force, or the threat of force, it will always welcome and accept serious and honest proposals to negotiate international differences.

The United States has pledged its national honor to work for peace. For us this pledge is no less than a sacred obligation. It is freely—but not lightly—given to the nations of the world.

As I press this button and the darkness surrounding the National Christmas

¹Made at the Christmas Pageant of Peace ceremonies at Washington, D. C., on Dec. 23 (White House press release).

Tree is illuminated by light, I hope that this ceremony has greater significance to all Americans and to the world than just the lighting of a tree. I pray that the darkness, which at times has encompassed the world, may be illuminated by the light of understanding and coopera-

tion of all the nations that earnestly seek peace in the year ahead.

To the men, women, and children of America and to all peoples throughout the world—a Merry Christmas and a Happy New Year.

Good night—and peace be with you!

Inter-American Cooperation in the Economic Field

Following are remarks made by Under Secretary Dillon before the Special Committee of the Council of the Organization of American States To Study the Formulation of New Measures for Economic Cooperation at Washington, D.C., on December 12, together with the text of a declaration approved at the closing session on December 12.

REMARKS BY MR. DILLON

Press release 750 dated December 12

This meeting just prior to our recess is an appropriate time to review, in general terms, the accomplishments of our Committee since we first met here on November 17.¹ This Committee was created to examine the whole complex of economic problems with which the American Republics are presently faced and to devise means for their solution. Our deliberations have been guided by the wise and understanding leadership of our chairman, Dr. Alfonso Lopez of Colombia. We are indebted to him for the substantial progress which has been made toward defining and clarifying the various aspects of our task. It is unfortunate that illness keeps him from our midst today. We owe him a vote of thanks for the able manner in which he has directed our discussions.

You will all agree with me, I am sure, that it is fitting that recognition be given to the role played by Brazil in this challenging undertaking. What is now known as Operation Pan America

had its inception in the timely and thoughtful letter which President Kubitschek addressed to President Eisenhower in May of this year.² President Kubitschek's initiative found a warm response in each of our governments, and the machinery of the inter-American system was promptly set into motion.

Meetings such as this have always contributed greatly to increased understanding between our governments and our peoples. No nation in this hemisphere possesses a monopoly of talent or of ideas. We all learn from each other in a continuing process, for understanding is based upon knowledge of one another's capabilities and motivations. Speaking for my delegation, I can tell you that we have benefited greatly from this exchange of viewpoints.

I believe that there could be no better occasion than this on which to reaffirm our individual and collective support for our inter-American system, in which, as equal partners, we are striving together to advance the economic well-being of our peoples.

The task which faces our Committee is not an easy one. Each of our economies has its own individual problems, which add to the technical difficulties inherent in any group effort in the field of economic relations.

However, we have made real progress in the council chamber. We are now establishing a work-

¹ For a statement made by Mr. Dillon before the Committee on Nov. 18, see BULLETIN of Dec. 8, 1958, p. 918.

² For an exchange of correspondence between President Eisenhower and President Kubitschek, see *ibid.*, June 30, 1958, p. 1090. For documents relating to a visit to Brazil by Secretary Dulles, see *ibid.*, Aug. 25, 1958, p. 301.

ing group to carry on during our recess period. We are thereby assured that when the Special Committee's meetings are resumed further progress will have been made. The recess also offers an excellent opportunity for a thorough review by each of our delegations of its own country's economic situation in the light of the searching discussions which we have held here. This examination may well result in the conception and implementation of concrete measures which will not only strengthen our individual economies but will also add to the contribution each of us can make to our joint effort in Operation Pan America.

Our discussions have been closely followed by my Government and by a large number of our individual citizens who view United States participation in the inter-American system as a keystone of our international relations. My Government's sincere and continuing interest in helping to advance the economic progress of the other American Republics is expressed in a special message which President Eisenhower has asked me to deliver to you as we close our current deliberations. The President says,

I extend my congratulations to the "Special Committee To Study the Formulation of New Measures for Economic Cooperation," for its perseverance and diligence in carrying out the tasks assigned to it last September by the Foreign Ministers of the American Republics.⁸

My personal interest in what has come to be known as "Operation Pan America" began when President Kubitschek of Brazil wrote to me on May 28 of this year. The Secretary of State thereafter formally expressed the willingness of my Government to cooperate in finding ways of making inter-American economic cooperation more effective. This remains the policy of the United States Government, and I assure you that the United States will lend its warmhearted cooperation to "Operation Pan America."

I am informed that the Special Committee has now completed its general review of the problems of underdeveloped countries and has decided to constitute a working group which, during the time the Special Committee is in recess, will address itself to specific concrete measures that can be taken to promote, by cooperative effort, a greater degree of economic development. I am confident that this work will go forward in the same spirit of mutual understanding and cooperation that has always characterized inter-American relations and that meaningful and constructive measures will be devised to achieve our common objective.

The economic development of Latin America is of vital importance to the strength and well-being of the whole of the free world. I hope that the working group will make rapid progress so that the Special Committee may

soon resume its meeting here in Washington. As Americans, I am sure that we all share a confidence in the future of this hemisphere and that we are determined to press forward with the concrete measures necessary to make inter-American cooperation in the economic field as fruitful as it has been in the political field.

There is little I can add to the message from my President, other than to assure you that this policy of the United States Government will be carried out as vigorously as is possible and within the framework of our inter-American system.

In conclusion, permit me, Mr. Chairman, to make a personal observation:

I believe that, if we apply to the economic problems we have been discussing the same energy, creativity, and perseverance we have devoted to solving political problems within our framework of nations, they will yield to our determination. What we need is faith in our ability to do what must be done.

It is undeniably true that each of our countries must pursue progress in ways consistent with its own cultural, political, and economic patterns. But no nation in this hemisphere stands alone. The spiritual and material well-being of one country is a matter of continuing and urgent concern to all the members of our family of nations. I say this with deep conviction. But it is more than a conviction. It is an article of faith. For our American community is built upon a bedrock of friendship and mutual respect. And friendship and solidarity have their roots in the human heart.

On behalf of my country and my people, I want to assure you of this: No matter what our commitments in other areas of the world—and you must know that they are many and burdensome and are designed to achieve the same free-world goals to which each of your governments subscribes—the United States will never forget the needs of any of its sister republics. Our feeling of friendship for the citizens of the other Americas is as deep-rooted and enduring as our belief in freedom and the dignity of the human spirit.

TEXT OF DECLARATION

At the close of its first meeting, at which the governments of all twenty-one American republics were represented, the Special Committee of the Council of the Organization of American States deems it fitting to state that, from the start of its deliberations on November 17,

⁸ *Ibid.*, Oct. 13, 1958, p. 574.

1958, the representatives of the member states have had full opportunity, in the course of the sessions, to express with all frankness and clarity the views of their governments on the pressing need for strengthening Inter-American cooperation.

Opinions were freely exchanged, always in an atmosphere of extreme cordiality and mutual understanding. The members of the committee unanimously reaffirmed their faith in the Organization of American States and their common determination to strengthen the harmonious relations uniting their countries in bonds of brotherhood. They also recognized the urgent necessity of making the best possible use of all the means and the facilities available within the regional system for promoting the economic development of the hemisphere in a way that will bring positive benefits to each and every one of the American republics.

There was a full discussion of each of the topics accepted at the Informal Meeting of American Foreign Ministers, held in Washington last September 23 and 24, and of many other proposals that were presented by the various delegations during the sessions.

Special attention was given the problem of financing the economic development of Latin America, and a draft resolution was adopted endorsing the proposal to establish an inter-American institution for economic development and expressing the hope that the Committee of Experts convoked by the Inter-American Economic and Social Council and scheduled to meet next January 8 will, in the shortest possible time, draw up the draft conventions that are to bring this new instrument of inter-American cooperation into existence.

In regard to the need for creating new incentives to the flow of private capital, all the representatives agreed that it was necessary to supplement such measures as the countries interested in attracting and receiving foreign capital have adopted, or will in the future adopt, by concluding agreements with capital-exporting countries so that the special tax rates that are now offered, or may later be offered, by the former will not be negated by the absence of counterpart measures in those countries in a position to furnish capital.

This matter is one in which the initiative is left to the interested governments, and with respect to which the willingness of the United States Government to conclude the necessary agreements, as expressed on the very first day of the meeting, can be counted on.

There was general agreement that the heavy reliance of the Latin American economies on the export trade in one or a few primary products poses a serious problem, since abrupt fluctuations and sudden drops in the prices of those commodities give rise to serious disturbances and impair the entire economic and financial outlook.

In this respect, the representatives of all the American countries displayed a willingness to participate in the

study of the problems connected with each product in an effort to find satisfactory solutions within a spirit of hemisphere solidarity and an awareness of the mutual benefits that spring from the many and varied relationships linking the countries of the American regional community.

All the representatives at the meeting placed special emphasis on the need for intensifying technical cooperation and providing a new and greater stimulus to the campaigns directed toward increasing technical ability and productivity, which are the principal requirements for economic development.

In this connection, highly constructive suggestions, inspired by a proposal of Argentina, were made. These suggestions are aimed at expanding and intensifying the pertinent programs now being conducted by the OAS and at awakening the interest of and obtaining assistance in this field from other public and private organizations.

The committee is about to suspend its sessions because it feels that, now that the general viewpoints have been expounded, the time has come to proceed without loss of time to the stage of preparing concrete formulas and specific proposals. In order to carry out this technical work, which is essential if useful results are to be obtained, the committee has appointed a working group that will develop the practical arrangements for arriving at the aforesaid objectives. The working group will meet at the Pan American Union beginning January 15, 1959, and will enlist the effective and indispensable services of the IA-ECOSOC and the General Secretariat of the OAS. When it completes its task, which should be no later than April 1, 1959, the Group will report its conclusions and recommendations to the Special Committee. Thus, the new measures required for more effective inter-American cooperation are already in progress.

When the Special Committee meets again in April, it will examine these specific proposals and submit them to the Council of the Organization of American States, so that the governments may arrive at final agreements and decisions.

Strongly evident was a feeling of gratitude on the part of all the governments to President Juscelino Kubitschek of Brazil for his timely proposal for setting in motion what has come to be known as "Operation Pan America."

The Special Committee is fully aware of the far-reaching importance of the tasks assigned to it by the American governments; in view of what has already been said and done, the Committee feels confident that it will be possible to advance toward the goal set by the governments, namely: the promotion of economic development in their respective countries with a view to raising the standard of living of their peoples, thus paving the way for progress and strengthening democracy in the hemisphere.

DECEMBER 12, 1958

Treaty With Sultan of Muscat To Regulate Economic Relations

Press release 771 dated December 22

A treaty of amity, economic relations, and consular rights between the United States and the Sultan of Muscat and Oman was signed on December 20, 1958, in Salalah. Walter K. Schwinn signed for the United States. Said bin Taimur bin Faisal, Sultan of Muscat and Oman, signed on his own behalf.

The treaty is designed to regulate basic economic relations between the United States and Muscat and to direct the future development of those relations along mutually beneficial lines. Upon its entry into force it will replace in full the existing treaty, long outmoded, which the two countries entered into in 1833.

This treaty with the Sultan is a commercial treaty of the customary kind. It is the 17th to be negotiated by the United States since the current program was initiated at the end of the Second World War. It will be transmitted as soon as possible to the Senate for advice and consent to ratification. By its terms it will enter into effect 1 month after the exchange of ratifications.

U.S. and New Zealand To Continue Antarctic Scientific Cooperation

Following is the text of a joint announcement made on December 23 by the Governments of New Zealand and the United States.

Press release 770 dated December 23, for release December 24

The Governments of New Zealand and the United States of America have agreed to continue their cooperation in scientific and logistical operations in Antarctica in order that the useful scientific activities which have been carried on during the current International Geophysical Year may be continued without interruption after the end of the International Geophysical Year on December 31, 1958.

For this purpose, the two Governments have recently been engaged in making detailed arrangements for improving the efficiency of operations, both scientific and logistical, at the stations they are currently maintaining in the Ross Sea area—

the jointly operated Hallett Station, the United States Naval Air Facility in McMurdo Sound, and New Zealand's Scott Base. As in the past, facilities will be made available in New Zealand to the United States operation. On December 24, 1958, notes were exchanged between the Governments of the United States of America and New Zealand which set out the basis on which these facilities will be made available and in which the United States offered, in return, to continue logistic support for New Zealand expeditions.

In addition to this bilateral cooperation, both countries are agreed on the desirability of inviting interested scientists from other countries to participate in the work of the stations referred to above, subject to the limitations of space, transportation, and accommodations.

The administrative arrangements referred to above have no effect on the rights or claims asserted by either country in Antarctica. Each Government maintains its traditional position in regard to such matters.

The Government of New Zealand and the Government of the United States of America jointly express their satisfaction at this practical manifestation of the friendly spirit of cooperation which animates them and are confident that the results will redound to the benefit of world science.

United States and India Sign DLF Loan Agreement

Press release 774 dated December 24

The U.S. Development Loan Fund and the Government of India on December 24 signed agreements formally making available an additional \$100 million in DLF funds to assist India in financing foreign-exchange costs of public and private economic development projects in connection with the country's second 5-year plan.

Signing of the documents implemented negotiations which have been in progress for several months. The agreements were signed on behalf of the United States by Dempster McIntosh, Managing Director of the DLF, and by Ambassador M. C. Chagla on behalf of the Government of India.

The agreements bring to \$175 million the aggregate

gate of DLF loans signed this year to help India in its second 5-year economic development program. DLF loans totaling \$75 million were signed June 23 at Washington and New Delhi as part of a \$225 million U.S. loan package to India which included a \$150 million loan from the Export-Import Bank. The Export-Import Bank loan was signed last June 12.

The new \$100 million in DLF funds is being made available in five separate loans. Three of them, totaling \$63 million, are for public-sector projects under India's second 5-year plan. The two others, totaling \$37 million, are for projects being developed in the private-enterprise sector.

Of the public-sector loans, one for \$35 million is to assist in procuring railway equipment for

India's national railway system. This equipment will include diesel locomotives, other rolling stock, steel, and electrical signaling devices. The second public-sector loan is for \$18 million worth of steel imports for development projects, while the third is for \$10 million worth of turbines, generators, transformers, insulators, cables, and other equipment for public power projects in India.

Of the private-sector loans, one is for \$22 million in steel imports, including structural steel, for use in private-enterprise projects. The second is for \$15 million to assist in financing the imports of machinery and other capital equipment for expanding facilities in such private industries as metals and mining, chemicals, cement, machinery, and mechanical engineering.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

United Nations Debates Admission of New Members; Admits Guinea

Following is a series of statements made by Henry Cabot Lodge, U.S. Representative, in the Security Council on December 9 and in the General Assembly on December 12 during debate on the question of admission to U.N. membership of the Republics of Guinea and Korea and Vietnam.

OPENING STATEMENT IN SECURITY COUNCIL

U.S. delegation press release 3111

The United States does not agree with the stand taken by the Representative of the Soviet Union [Arkady A. Sobolev]. The item on our agenda for today is "The Admission of New Members." The provisional agenda which contained this item was circulated on December 5.

The United States is merely asking that under this item two applications be considered which have been before the Security Council for a number of years. The Council has remained

seized of these two applications and in our view there is nothing in the rules of procedure which can prevent this Council, when it meets to consider the admission of new members, to reconsider two applications of such long standing.

We do not, Mr. President, ask for their consideration simultaneously with the admission of Guinea, as Mr. Sobolev implied. We ask merely for their consideration consecutively.

For us to bring these membership questions up is not a cold-war gesture. The cold-war element is brought in by the determination of the Soviet Union to veto these membership applications. That is the cold-war responsibility in this matter.

STATEMENT ON GUINEA

U.S. delegation press release 3112

Once again the United Nations witnesses the process of peaceful change which has resulted

in the birth of a new member of the free-world community. We all extend the hand of friendship to this new African state.

The Republic of Guinea, in attaining sovereignty, has asserted its ability and willingness to conduct itself according to the standards of international conduct embodied in the charter.

We are also happy to express our appreciation for the guidance and assistance extended by France toward the development of this new nation.

The Republic of Guinea attains nationhood possessing important human and material resources. We should not underestimate, of course, the difficulties which any independent nation faces, but neither should we lose sight of the promising foundation which Guinea possesses for an independent and prosperous existence. Rich agricultural lands, abundant resources, and a united people surely justify the belief that the Republic of Guinea faces a great future.

The United States looks forward to a close association with the Republic of Guinea as we work together in the spirit of the United Nations Charter for the preservation of world peace and for better standards of life under conditions of human freedom.

The United States is happy to vote today for the admission of Guinea to the United Nations and to extend to the Government and people of Guinea our very best wishes for a happy and prosperous future.¹

FIRST STATEMENT ON KOREA

U.S. delegation press release 3114

The General Assembly has repeatedly asserted that the Republic of Korea should be admitted to membership in the United Nations. This decision was most recently reaffirmed by the Assembly on October 25, 1957.² We have asked the Security Council again to consider the Republic of Korea's application and to register its views that Korea should become a United Nations member.

The Republic of Korea has a special claim to membership in the United Nations. It was under

the auspices of the United Nations that the Republic of Korea was established as an independent state, and it was United Nations assistance and support which made it possible for the Republic to retain its independence.

The relationship of the Republic of Korea to the United Nations is very close. Through the United Nations Commission for the Unification and Rehabilitation of Korea, the United Nations is represented in the Republic of Korea. The Korean Government in turn maintains a permanent observer at United Nations headquarters.

The growth of free and democratic government in the Republic of Korea is reviewed annually by the General Assembly on the basis of reports received from the United Nations Commission for the Unification and Rehabilitation of Korea. Economic progress and developments have been discussed in connection with the reports of the United Nations Korean Reconstruction Agency, which earlier this year officially completed its work with a record of solid achievement.³

Remarkable progress has been made during the 5 years since the end of the Korean war. We are proud of Korea's record and of Korea's eagerness to secure that this progress will continue. It has been on the basis of the record of great accomplishment, despite grim adversity, that the General Assembly has found the Republic of Korea fully qualified for United Nations membership.

We have an opportunity here today, Mr. President, to right a longstanding wrong in which the United Nations and, specifically, the Security Council has a clear responsibility, that is, to approve the application of the Republic of Korea for membership in the United Nations. The United States will vote for its approval and will persevere in its determination to work for justice for Korea.

SECOND STATEMENT ON KOREA

U.S. delegation press release 3116

The Soviet Union attempts by its amendments to link admission of the Republic of Korea with that of the puppet north Korean regime. The north Korean regime has never been found qualified for membership by the United Nations. It has received no recognition, no acceptance outside of the Soviet bloc. Unlike the Republic of Korea,

¹ The Council on Dec. 9 adopted by a vote of 10 to 0 with 1 abstention (France) draft resolution S/4131 recommending the admission of Guinea.

² U.N. doc. A/Res/1144 (XII) A and B.

³ For the final UNKRA report, see U.N. doc. A/3907.

which is regarded by the United Nations as the only lawful government in Korea, the north Korean regime has been condemned by the United Nations as an aggressor. It fought against the United Nations in pursuing its aggression, aided and abetted by Communist China and its other Communist masters, and it continues to defy the United Nations. No wonder the United Nations rejects the attempts of the Soviet Union to obtain United Nations acceptance of the north Korean regime. We trust that the Security Council will reject the Soviet amendments.⁴

Let me deal very briefly with Mr. Sobolev's assertions about the so-called "withdrawal" of Chinese Communist troops from north Korea.⁵ It is, indeed, a so-called and not a true withdrawal, because it brought about no real change in the threat of Communist military power against the Republic of Korea and to international security in that area. It is a propaganda gesture and nothing more. It has not deluded anyone, and I feel quite sure that it has not deluded Mr. Sobolev. Nor can it obscure the fact that the Communist authorities refuse to accept the fair and just plan for unification favored by the majority of the United Nations.

Let me say in conclusion, Mr. President, that this is perhaps as good a time as any to repeat the position of the United States on the question of admitting Outer Mongolia to the United Nations. The United States is opposed to its admission. We do not think Outer Mongolia is qualified. We do not think it is independent. And we do not think it is a state. I have said all this before, and nothing has happened since to change this view.

[In a further intervention, Mr. Lodge said:]

Mr. President, I simply wish to say that it is not just I who says that the north Korean regime were the aggressors. It is the United Nations General Assembly, and by an overwhelming vote.

Now, I do not know whether that is what the Soviet Union calls a historical fact. I notice that phrase crops up. I gather that a historical fact in Soviet parlance is a twisting of the truth so as

to help the Soviet argument. But the declaration by the General Assembly that north Korea was the aggressor is a true fact and a real fact and a fact that is highly inconvenient to the Soviet Union. Certainly it cannot be doubted.

Mr. President, the Soviet Union often emulates the man in the parade who cannot keep step and who claims everyone is out of step but he. They are clearly in this position when it comes to the aggression committed by north Korea.⁶

STATEMENT ON VIET-NAM

U.S. delegation press release 3118

The United States has asked the Security Council in a resolution introduced with other members to consider again the application of Viet-Nam for membership in the United Nations.

There is no doubt that Viet-Nam fulfills the conditions laid down in article 4 of the charter. It exercises the normal powers and freedoms of a state. It has declared itself willing to accept the obligations arising out of the charter, and it has demonstrated its ability to do so. Recognition of Viet-Nam as a sovereign and independent state by 48 countries is eloquent testimony of its achievements and its qualifications for admission to the United Nations.

Viet-Nam is a member of 10 specialized agencies as well as the United Nations Economic Commission for Asia and the Far East. It has made or pledged contributions to the United Nations programs in Korea and Palestine and to the Expanded Program of Technical Assistance.

The people of Viet-Nam have long been deeply interested in obtaining admission to the United Nations. In 1952 the General Assembly found Viet-Nam to be qualified for membership. The General Assembly has reaffirmed the finding many times since, but the Security Council has been unable to recommend Viet-Nam's admission because of the Soviet Union's veto. The United States hopes that the Security Council today will be able to fulfill its responsibility and unani-

⁴ The Soviet amendments (U.N. doc. S/4132) were rejected by a vote of 1 (U.S.S.R.) to 8 with 2 abstentions.

⁵ For text of the U.N. Command's rejection of the Communist proposal on the withdrawal of forces from Korea, see BULLETIN of Nov. 17, 1958, p. 781.

⁶ Draft resolution S/4129/Rev. 1, cosponsored by the U.S., France, Japan, and the U.K. and recommending the admission of the Republic of Korea, was defeated by Soviet veto on Dec. 9. The vote was 9 to 1 (U.S.S.R.) with 1 abstention.

mously recommend the admission of this great Asian country.⁷

STATEMENT IN GENERAL ASSEMBLY

U.S. delegation press release 3133

The United States last Tuesday [December 9] cast its vote in the Security Council in favor of the admission of the Republic of Guinea to membership in the United Nations. It has been our pleasant task today to reaffirm that vote here in the General Assembly.⁸

One of the great facts of our day is the emergence to nationhood of the people of Africa. This development is a source of great gratification to the United States. We also appreciate the part which France has played in providing guidance and assistance to this newest sovereign nation.

The United States recognized the Republic of Guinea on November 1. In a message sent to the President of the Republic of Guinea on that day, President Eisenhower expressed his good wishes for the future of Guinea.⁹ The General Assembly's decision tonight will enable the United States to take another step forward in strengthening its ties with the Government of Guinea through our association together in the work of the United Nations. We look forward to this new association.

The United States is happy to accept the declaration of the Government of Guinea that it is able and willing to carry out the obligations contained in the United Nations Charter and has taken great pleasure in joining with other members here tonight in this final official act which has resulted in the admission of the Republic of Guinea to the United Nations.

Mr. President, this is an appropriate and orderly time, I think, for me to express on another subject, but one which falls within the same category of membership in the United Nations, the profound regret which the United States feels

that the Security Council has had to report once again its failure to recommend the admission of the Republic of Korea and Viet-Nam to membership in the United Nations.

The United States joined with other members of the Security Council in submitting two resolutions asking the Council to recommend the admission of these two countries.

An overwhelming majority of the members of the United Nations have repeatedly affirmed that both the Republic of Korea and Viet-Nam are fully qualified for membership and should be admitted to the United Nations. But the will of the General Assembly continues to be thwarted. We are deprived of the presence here of two great Asian countries because the Soviet Union chooses to abuse its veto power in the Security Council.

Mr. President, the United States shares the disappointment felt by the people of the Republic of Korea and Viet-Nam in this result. But we believe firmly that the will of the Assembly will prevail, and we will continue to do everything in our power to hasten the day when the Republic of Korea and Viet-Nam take their rightful places here among us.

But, Mr. President, allow me, please, to conclude these remarks on a happy note and to extend once again, on behalf of the United States, the warmest congratulations and best wishes to the Government and people of the Republic of Guinea.

U. N. To Seek Improvement of Situation in Hungary

Following are statements made in plenary session by Henry Cabot Lodge, U.S. Representative to the General Assembly, on the situation in Hungary and on the credentials of the Hungarian delegation, together with the text of a resolution adopted on December 12.

STATEMENT OF DECEMBER 11

U.S. delegation press release 3125

Once again it is the duty of the General Assembly to face the tragic situation in Hungary and to consider what help or comfort the United Nations can give to the brave Hungarian people.

Scarcely more than 2 years have passed since

⁷ Draft resolution S/4130/Rev. 1, cosponsored by the U.S., France, Japan, and the U.K. and recommending the admission of Viet-Nam, was defeated by Soviet veto on Dec. 9. The vote was 8 to 1 (U.S.S.R.) with 2 abstentions.

⁸ The General Assembly on Dec. 12 adopted without vote draft resolution A/4060/Rev. 1 admitting the Republic of Guinea to membership in the United Nations.

⁹ For an exchange of correspondence between President Eisenhower and President Sekou Toure, see BULLETIN of Dec. 15, 1958, p. 906.

armed forces of the Soviet Union crushed the attempt of the Hungarians to free their country from alien rule. The news that Budapest had suddenly come under fire from an army of Soviet tanks was brought to us in this very hall during the night of November 3-4, 1956.¹ Here on that night we learned of the betrayal of the Hungarian negotiators, led by General Maleter, and the final radio appeal to the world by Prime Minister Imre Nagy just before he was deposed.

It was like a physical shock to be told these things. It was as if the deed had been done right here before our very eyes. As the Representative of Burma said so well in this hall at the time, "There, but for the grace of God, go we."

General Assembly Actions

Mr. President, in the face of that Soviet attack and all the tragedy which followed it the General Assembly has done what it could by peaceful means. We helped to bring food, relief, and medical supplies to the people of Budapest in the hour when their suffering was most acute. We supported the efforts of the United Nations High Commissioner for Refugees to receive and resettle the nearly 200,000 refugees who fled from Hungary. And repeatedly, in three successive resolutions, we faced this truth: that the Soviet Union had intervened by armed force to deprive Hungary of its liberty and political independence. We condemned these acts as violations of the charter, and we demanded that the wrongs done be put right.

Our last and most important resolution on this subject was adopted on September 14, 1957, by a vote of 60 to 10.² At that time we had before us the authoritative report of the United Nations Special Committee,³ a report which has probably become more widely read than any United Nations report in history. And among its conclusions were these:

that the original Hungarian revolution of October 23, 1956, was a spontaneous national uprising;
that this uprising was crushed by Soviet armed force;

¹ For background and texts of resolutions, see *BULLETIN* of Nov. 19, 1956, p. 800.

² For background and text of the resolution, see *ibid.*, Sept. 30, 1957, p. 515.

³ U.N. doc. A/3592. For text of the final chapter of the report, see *BULLETIN* of July 8, 1957, p. 62.

that Soviet armed forces set up a puppet regime "in opposition to a Government which enjoyed the overwhelming support of the people of Hungary";

that this puppet regime had no popular support, had broken all its promises to the people, and had resorted to repressive measures; and it also added

that "A massive armed intervention by one Power on the territory of another, with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of aggression, be a matter of international concern."

Such were the conclusions of the famous report of the Special Committee. That report was based on exhaustive research from the best available resources, including eyewitness testimony and many official statements of the Hungarian and Soviet Communist rulers. After considering that report this Assembly, in its resolution of September 14, 1957, found as follows:

"The Union of Soviet Socialist Republics, in violation of the charter of the United Nations, has deprived Hungary of its liberty and political independence and the Hungarian people of the exercise of their fundamental human rights;" and further "The present Hungarian régime has been imposed on the Hungarian people by the armed intervention of the Union of Soviet Socialist Republics."

Those acts, Mr. President, which involved violations of international obligations of the Soviet Union and Hungary and defiance of resolutions of the General Assembly, were condemned in the climactic resolution of September 14, 1957.

Since that date there have been important and shocking events. Chief among those events have been the executions of Imre Nagy, Pal Maleter, and other Hungarian leaders and the continued subjection of the Hungarian people to a repressive regime which is definitely not of their own choosing.

Again, as a year ago, we have the benefit of an excellent report by the Special Committee on the Problem of Hungary. This special report,⁴ dated July 14, 1958, has not yet been considered by the General Assembly. It is a most useful document. I shall refer to it from time to time in this statement. The Special Committee on the Problem

⁴ U.N. doc. A/3849.

of Hungary deserves to be commended again for its further contribution to our work.

Wrongs Still Persist

Mr. President, it is no exaggeration to say that this subject overflows with tragedy. The United States would be happy indeed if further debate on it were unnecessary—if the people of Hungary were again in possession of their sovereignty and their basic rights. But such is not the case. The wrongs which we have repeatedly condemned still persist. The Soviet Union, with all its power, still stands in the way of progress for Hungary.

Now the easy thing for us to do would be to give up, to pretend that this evil, having been prolonged for 2 years, need concern us no more. We could even pretend that, because the voice of Hungarian patriots cannot be heard in this hall, the world can forget the Hungarian problem.

But that is not true. Evil prolonged is no less evil. The voice of Hungarian patriots is still today, not because it has nothing to complain about but because it is stifled by the alien power of the Soviet Union.

If the oppressed Hungarian nation is to have advocates before the bar of world opinion, we whose voices are not stifled must be its advocates. Simple morality and the self-respect of this organization demand that we do no less.

As a matter of fact, political prudence demands the same thing. Peace in Eastern Europe cannot be built on this situation of massive injustice with all the smoldering hatreds it creates. If the existing tension is to be relaxed and the danger of still another tragic explosion ended, it will be necessary to end the injustice which causes the tension.

Moreover we cannot expect the protection of the charter for ourselves when we need it if we fail to extend that same protection to others in their time of need.

For these reasons, Mr. President, the United States considers progress on the Hungarian question is of the utmost importance to world peace. We approach the question in that spirit. We shall not try to cover up ugly facts with pleasant words.

Aims for the Hungarian People

Mr. President, in the past year, since this subject was last discussed in the General Assembly,

events in Hungary have been particularly disheartening. The most vital aims of the General Assembly for the Hungarian people remain unachieved. And let me remind you of what these aims are:

1. We call for the withdrawal of Soviet troops from Hungary. But, despite a well-advertised token withdrawal of a few thousand Soviet troops, there actually remain some 50,000 Soviet troops in Hungary—distributed in camps, in cities, and factories all over Hungary, like the occupation army that they are. These Soviet troops are the decisive political fact in Hungary today—the indispensable prop of the Moscow-imposed Hungarian Communist regime.

Indeed, the official newspaper in Budapest admitted as much a year ago, when it said that “the very existence of the Hungarian workers’ power”—and, of course, as you know, that is their jargon for Communist dictatorship—depended on the so-called “friendship” of the Soviet Union. Mr. President, what a friendship! Hungarian freedom has died in the clutch of that friendly embrace.

2. The General Assembly called on the Soviet Union to desist from any form of intervention in the internal affairs of Hungary and to respect Hungary’s liberty and political independence. But today the Hungarian authorities are as subservient to Moscow as they were when they were installed by Soviet guns 2 years ago.

3. The General Assembly called for the return of Hungarians deported to the Soviet Union. In 1957 the Special Committee reported that thousands of Hungarians had suffered this fate, including ranking military officers and members of Parliament. The Special Committee concluded that “some may not have been returned to their homes.” To this day the world does not know the facts—and certainly the wholesale denials of the Soviet Union merely thicken the fog.

4. The General Assembly called upon the Soviet Union and the authorities in Hungary “to desist from repressive measures against the Hungarian people” and “to respect the Hungarian people’s enjoyment of fundamental human rights and freedoms.” And the reign of terror in Hungary this past year has shocked the world.

Mr. President, the Hungarian people must be relieved of that scourge of terror. Of all our aims with respect to Hungary, that is the most

urgent. The rights and liberties—and even the lives—of countless Hungarians are at stake from day to day.

The charter obliges us to be concerned with a great political wrong: that is, the subjugation of a small state by its powerful neighbor. But from that political wrong there flows directly an even more urgent human wrong: that is, the unjust murder and imprisonment of thousands of Hungarians, including Imre Nagy himself, by the puppet government which now rules Hungary on behalf of Moscow.

Ten years ago, almost to the day, the General Assembly approved the Universal Declaration of Human Rights. Among these are the right of political opposition, the right to be free from arbitrary arrest and imprisonment, the right to judicial safeguards. Never have we had a better opportunity to promote the observance of those rights in a member state and to render an elemental service to people in their hour of trouble than by acting to halt the reign of terror in Hungary.

Murder in Juridical Disguise

Now I turn to the most shocking act in the reign of terror—the secret trial and execution of Prime Minister Imre Nagy, Lieutenant General Pal Maleter, and their companions.

Some of the facts leading up to this murder in juridical disguise are well known. Others may never be known. From the main report of the United Nations Special Committee we know that General Maleter and his Hungarian staff were seized by Soviet agents in the night of November 3, 1956, during a meeting which was supposed to be for the purpose of arranging the withdrawal of Soviet troops from Hungary. From that night on General Maleter was never seen again until the day 19 months later when his execution was announced.

We know that Prime Minister Nagy, on the morning of November 4, 1956, after the Soviet attack and the announcement of the Soviet-imposed Kadar puppet government, found political asylum in the Embassy of Yugoslavia in Budapest, along with a number of other leading Hungarians. The new Prime Minister, Kadar, asked that Mr. Nagy and his companions be returned, and he offered to let them go to Rumania. Mr. Nagy refused. On November 21 the Hungarian authorities agreed in writing to let the group

“proceed freely to their homes,” and it said that the Hungarian Government “hereby confirms in writing its verbal declaration that it does not desire to apply sanctions against Imre Nagy and the members of his group for their past activities.”

On this basis on November 22, 1956, the Yugoslav Embassy released Mr. Nagy and his group. That evening they entered a Hungarian Government bus outside the Embassy. In a surprise move this bus was boarded by Soviet military personnel and driven to the Soviet military headquarters in Budapest. From that point the bus, escorted by Soviet armored cars, proceeded “to an unknown destination.” Mr. President, Imre Nagy was never seen after that.

On the evening of the next day the Kadar government announced that Prime Minister Nagy and some of his colleagues had gone to Rumania. The communique stated that this was in accordance with their own request, although this does not jibe with the known facts. The Rumanian Government, despite all inquiries, has revealed nothing about its part in the matter or about how Mr. Nagy’s so-called “asylum” in Rumania came to its tragic end.

Finally, on June 16 of this year, came the shocking announcement that Prime Minister Nagy, along with General Maleter and the two Hungarian journalists, had been put to death.

Rejection of U.N. Appeals

Both the Soviet Government and the Hungarian authorities knew full well that Mr. Nagy’s status and that of many other Hungarians was a matter of international concern. In our debates here at that time a number of speakers, including me, called attention to Mr. Nagy’s disappearance. In June 1957 the report of the United Nations Special Committee told in detail the story of his abduction and disappearance, along with many other acts of terror by the new regime and their Soviet masters. On September 14, 1957, the General Assembly, in a resolution adopted by 60 votes to 10, called on the Soviet Union and the authorities in Hungary “to desist from repressive measures against the Hungarian people.” From September to November 1957 the United Nations Special Representative, Prince Wan Waithayakon, invoking that same resolution, appealed repeatedly to the Soviet and Hungarian authori-

ties for humanitarian action. His report to the Assembly on December 9, 1957,⁵ told of his appeal of October 10 to the Hungarian Government "for more lenient treatment of prisoners, of persons detained in concentration camps, and of persons awaiting trial and for due process in trials—and, finally, for an amnesty for political offenders." That was Prince Wan's appeal. But all his appeals, as we know, were rejected.

On December 14, 1957, the General Assembly discussed this question further. At that time, speaking for the United States, I cited reports that General Maleter and others had been placed on trial and that other prominent Hungarians had been put to death or imprisoned for long terms for their actions during the uprising.⁶

On December 20, 1957, the chairman of the Special Committee, Mr. Alsing Andersen, addressed a letter on behalf of the Committee to the Hungarian Foreign Minister, asking him for information on the circumstances of General Maleter and others and again appealing for humanitarian treatment. Mr. President, his letter was not answered. In fact the Hungarian representative here in New York refused even to forward it to Budapest.

On February 11, 1958, the United States Mission to the United Nations sent a letter to the Hungarian Representative, Mr. Mod, reminding him of his own suggestion that we "ask for authentic information through the proper channels"—we thought that he might be a proper channel to the Hungarian regime in Budapest—and accordingly asking for authentic information about 21 Hungarians, including Imre Nagy and Pal Maleter.⁷ Our letter was acknowledged and forwarded, but after a month's delay Mr. Mod refused in writing to answer our questions. As a result of this exchange on March 13, I appealed publicly to the Hungarian authorities to heed the overwhelming voice of world opinion and to cease their repressive acts.

Mr. President, these are but a few of the appeals which were made. Others came from governments and leading citizens in many countries, but the authorities in Budapest defied them all, including the overwhelming voice of the General Assembly itself.

⁵ U.N. doc. A/3744.

⁶ BULLETIN of Jan. 6, 1958, p. 33.

⁷ *Ibid.*, Apr. 7, 1958, p. 581.

Facts About Soviet Intervention

Now, the Hungarian authorities, as well as the Soviet leaders, claim that all these matters are strictly an internal affair of the Hungarian Government. But they made the same claim about the Soviet military intervention of November 1956, and that claim was rejected by the General Assembly.

Mr. President, Imre Nagy was the lawful Prime Minister of the independent state of Hungary, a member of the United Nations. He was put to death as the crowning act of a Soviet reign of terror against the Hungarian people, a reign of terror which is still being carried out today by Hungarians who are, in truth, agents for the Soviet Union in the presence of the Soviet occupation army, which remains the decisive force in the lives of the unhappy people of Hungary.

That is a strong statement to make. But the overwhelming weight of evidence bears it out. We are indeed faced with a series of events which, for callous cruelty and brazen defiance of civilized standards in the worst traditions of the tsars of medieval times, has no parallel in the annals of the United Nations.

Here are the facts which argue that the Soviet Union caused the death of Prime Minister Nagy:

1. It was not Hungarians but the Soviet Army that deposed Imre Nagy.
2. It was not Hungarians but the Soviet Army that kidnaped Imre Nagy.
3. The Hungarian puppet Prime Minister, Janos Kadar, repeatedly promised that Mr. Nagy would not be punished. He made this promise to the Yugoslav Government on November 21, in exchange for the release of Mr. Nagy. Six days later, after Mr. Nagy's mysterious abduction, Mr. Kadar repeated in the official newspaper *Nepszabadsag*: "We have promised not to start any punitive proceedings against Imre Nagy, and we shall keep our word." But, when Mr. Kadar went to Moscow in March 1957, his tune changed. There he suddenly charged Imre Nagy with preparing the destruction of Hungarian communism from without, in alliance with what is quoted as "the dark forces of reaction." So it was from the Kremlin in Moscow that the world first heard of the alleged "treason" of Imre Nagy.

4. In November 1957, after months of official silence about Imre Nagy, there took place in Mos-

cow a meeting of the Communist Party leaders of Communist-ruled countries, including Hungary. Mr. Kadar was there. He, like most of the others, reaffirmed that the Soviet Union remains the leader of world communism. He, like the others, signed a manifesto of world Communist policy which attacked the crime of "revisionism"—which means thinking for yourself—and which blamed the so-called "counterrevolution" in Hungary on an alleged "imperialist plan." And in December, the month after that Moscow manifesto, Imre Nagy was denounced in a so-called "Hungarian White Book" and in speeches by two leading figures in the Budapest regime, the editor of the Communist daily paper *Nepszabadsag* and—ominously enough—the chief public prosecutor.

5. Finally, in April 1958, Mr. Khrushchev paid a visit to Hungary. On April 8 he said in a speech that the Soviet Union would intervene in Hungary again if there were another uprising. That is what Mr. Khrushchev said. And he added these words: "We must warn amateurs against all kinds of provocations: We do not advise the enemies of the working class to try our patience and organize new provocations." Mr. Khrushchev did not explain how he acquired the right to speak for the working class.

Now, Mr. President, it is interesting to compare that statement with the editorial in the Budapest Communist paper *Nepszabadsag*, just after the Nagy execution was announced. That paper said this: "These sentences constitute a warning to all those who dare attack our legal order." It is interesting too to note Mr. Khrushchev's further statement of April 9, in which he applauded the fact that "governmental organs of the Hungarian People's Democracy, after the counterrevolution, put the principal criminals under lock and key." He said, "It is better to jail a few instigators than to endanger the people themselves."

Thus it appears that the highest authority of world communism came to Hungary 2 months in advance to prepare public opinion for the killing of Imre Nagy. I believe that is a fair deduction to be drawn from this succession of events.

Continuing Reign of Terror

Mr. President, the killings of Imre Nagy and Pal Maleter are only the most conspicuous and

important in a long list of acts of terror by the Hungarian Communist regime, in direct defiance of the United Nations.

On November 4, 1956, when the Kadar government was installed in Budapest at Soviet gunpoint, that government made this promise: "The Government will not tolerate, under any pretext, the persecution of workers for having taken part in the most recent events." That is what it said. But, when the General Assembly met in September 1957 to discuss this question, the United States delegation submitted a list of 1,768 names of Hungarians who had been arrested, imprisoned, or put to death "for having taken part in the most recent events."

It is necessary to face the fact now that this reign of terror, of which the salient feature was the killing of Imre Nagy, still continues in full force. The special report of the United Nations Special Committee, dated last July 14, lists 80 Hungarians officially announced to have been executed between June 20, 1957, and June 21, 1958, for so-called "counterrevolutionary crimes." The report further lists 110 individuals, by name, who have been reported in Hungarian newspapers and official radio broadcasts as having received prison sentences, ranging up to life imprisonment, during the same period for the same offense.

Among these is Sandor Kopacsi, who was Chief of Police in Budapest. Also among them are many writers, including some of the most famous in Hungary—men like Tibor Dery, Gyula Hay, both winners of the Kossuth Award, and Gyula Obersovsky, a journalist sentenced to life imprisonment. According to Chairman Andersen of the Special Committee, in July Mr. Obersovsky was scheduled for a new trial in which the prosecutor intended to demand the death penalty.

We have further reliable reports that Istvan Bibo, a leader of the Petofi Peasant Party and a Minister of State in the last cabinet of Imre Nagy, was sentenced to life imprisonment in August 1958. No word about Mr. Bibo has appeared in the controlled press of Hungary.

We have a Hungarian press report of last summer that Geza Losonczy, also a Minister of State under Imre Nagy, who went with Mr. Nagy into exile in Rumania, had "died in prison."

There are a great many individuals, of course, whose fate is simply unknown. It is clear that the regime does not announce publicly all the poli-

tical sentences it imposes. But we have a United Press International report from Vienna dated September 16 which tells of the sentencing of three more so-called "accomplices" of Imre Nagy: Gabor Tanczos of the Petofi Club to life imprisonment, Gyorgy Fazekas to 11 years, and Sandor Haraszti to 8 years.

A Mockery of Justice

The executions and sentences which have been announced publicly, together with the probably much larger number which will never be announced, are only a part of the story. The entire people of Hungary are affected by this terror. They are all caught again in the web of lies and fear from which they were able to break out for only a few days in 1956. The old AVH, the secret police of the Rakosi-Gero era, is fully reconstituted now under other names. The judicial system of so-called "summary justice," instituted after the Soviet coup of November 4, has been formally abolished but actually continues in full force. Nonprofessional "people's judges"—we are not told what "people"—still pass judgment on so-called "counterrevolutionary" cases and hand down decisions based not on the evidence or the law but on the fact, as the Minister of Justice put it, "that they are members of the class tribunal of the proletarian dictatorship." The President of the Hungarian Supreme Court admitted that half of the professional judges had been dismissed for refusing to join in this mockery of justice. It is further reported that, of the 1,600 lawyers in Budapest, over 700 have been disbarred as politically unreliable.

In the midst of that system of terror, Janos Kadar said last January in the Hungarian Parliament: "Not one member of the Hungarian Government will render an account of any issue affecting Hungarian internal policy to anyone apart from the Hungarian National Assembly." Thus the chief of the Hungarian Communist machine, and therefore presumably the most powerful Hungarian in Hungary today, took it on himself once again to defy the United Nations and to say that the Soviet terror against the Hungarian people is a matter exclusively of "Hungarian internal policy."

Mr. President, these words of defiance are insolent and reprehensible, but they cannot deflect us from our course. Nothing has been said or done

which can relieve the General Assembly of its duty to extend to the Hungarian people, insofar as we can, the protection to which the charter entitles them.

Indeed, the votes of 61 member states to inscribe this item on our agenda are overwhelming proof of our belief that we must continue to be concerned with the situation in Hungary, aggravated as it now is by the continuing terror and by the murder of a Hungarian Prime Minister, Imre Nagy, virtually on orders from Moscow. The question which remains is not whether to act but what action to take.

U.S. Cosponsors New Draft Resolution

Mr. President, the United States has joined with Argentina, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Federation of Malaya, France, Guatemala, Haiti, Honduras, Iceland, Ireland, Italy, Laos, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Philippines, Portugal, Spain, Turkey, United Kingdom, Uruguay, and Venezuela in submitting a new draft resolution.* Let me describe its provisions briefly:

First, it expresses our appreciation to the United Nations Special Committee and to the United Nations Special Representative, Prince Wan, for their efforts to achieve the objectives of the United Nations in Hungary, and it deplores the continued Soviet and Hungarian refusal to cooperate with them in any respect.

Second, it records our judgment on the present continuing repression in Hungary of the fundamental rights of the Hungarian people. It denounces specifically the execution of Prime Minister Imre Nagy, General Pal Maleter, and other Hungarian patriots.

Third, it calls once again upon the Soviet Union and the present authorities in Hungary "to desist from repressive measures against the Hungarian people and to respect the liberty and political independence of Hungary and the Hungarian people's enjoyment of fundamental human rights and freedoms."

Fourth, it declares that the United Nations will continue to be seized of the situation in Hungary

* U.N. doc. A/L. 255.

in view of the flagrant disregard of its resolutions by the Soviet and Hungarian authorities.

Finally, it appoints an individual "to represent the United Nations for the purpose of reporting to Member States or to the General Assembly on significant developments relating to the implementation of the resolutions of the General Assembly on Hungary."

We are glad, Mr. President, that Sir Leslie Munro [New Zealand] has kindly consented to fill this important office. Sir Leslie, as his country's representative at the United Nations for many years and as the unanimous choice of the General Assembly to preside over its 12th session a year ago, is admirably qualified.

We, the sponsors of this resolution, intend that Sir Leslie be the watchdog of the United Nations. We cannot now foresee exactly what his tasks may be. We hope his activity and his reporting role will be a sign to the authorities in Hungary that the United Nations is watching to see whether the current repressions are ended. He may be able to bring about some improvement in the situation or at least to prevent it from growing worse.

We know that many thousands of Hungarian patriots remain in prison. We have ample evidence of the pattern of life in the Soviet satellite empire to know that each day these prisoners live in terror that they may be summoned before the executioners. But if their jailers know that such actions may be noticed throughout the world, there is at least some reason to hope that they may act with restraint.

The United States still shares the hope, voiced earlier in the session by the distinguished Foreign Minister of Austria, when he was here, that the present Hungarian authorities may see fit to honor their repeated pledge to grant amnesty to those who participated in the stirring events of October and November 1956.

We are perfectly aware that those whom the General Assembly has appointed in the past to represent it in this matter have met nothing but defiance and denunciation by the authorities in Budapest. This callous attitude has sorely tried the patience of the Assembly. The authorities in Hungary would be wise to abandon that course of action and, on their own initiative, to cooperate with the General Assembly and its representatives. What they decide to do in this matter—if indeed they are free to decide anything—will un-

doubtedly affect their standing in the world and in this organization next year. And I say that to them in all candor.

Mr. President, I conclude.

Under the charter the United Nations has the duty to try every available peaceful step which may improve conditions in Hungary. The resolution before the Assembly is designed as one means wherewith to show that we will never forget.

The United States hopes that the 37-power resolution will command the support of the overwhelming majority of members. And, Mr. President, we pray that it may bring some measure of relief and of hope to the people of Hungary in the long night of their ordeal and trial.

TEXT OF RESOLUTION^{*}

The General Assembly,

Having considered the supplementary report, dated 14 July 1958, of the United Nations Special Committee established by resolution 1132 (XI) to report on the problem of Hungary,

Having considered the report, dated 9 December 1957, of the United Nations Special Representative, H. R. H. Prince Wan Waithayakon, who was appointed by General Assembly resolution 1133 (XI) to take steps to achieve the objectives of the General Assembly's resolutions 1004 (ES-II), 1127 (XI), 1131 and 1132 (XI),

1. *Expresses its appreciation to its Special Representative, Prince Wan Waithayakon, for the efforts he has made to enter into consultation with the appropriate authorities with a view to achieving the objectives of the resolutions referred to above;*

2. *Endorses the Special Committee's unanimous report dated 14 July 1958 and expresses its thanks to the Special Committee for its objective and efficient discharge of the tasks entrusted to it;*

3. *Deplores the continued refusal of the Government of the Union of Soviet Socialist Republics and the régime in Hungary to co-operate with the Special Representative and with the Committee in their efforts to achieve the objectives of the United Nations in accordance with pertinent resolutions of the General Assembly;*

4. *Deplores the continuing repression in Hungary of fundamental rights of the Hungarian people and their freedom of political expression under the shadow of the continuing presence of Soviet armed forces;*

5. *Denounces the execution of Mr. Imre Nagy, General Pal Maleter and other Hungarian patriots;*

^{*} U.N. doc. A/L. 255; adopted in plenary session A/Res/1312 (XIII) on Dec. 12 by a vote of 54 to 10 (Soviet bloc and Yugoslavia) with 15 abstentions (Afghanistan, Ceylon, Ethiopia, Finland, Ghana, Greece, India, Indonesia, Iraq, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, and the United Arab Republic); Israel and Yemen were absent.

6. *Condemns* this continued defiance of the resolutions of the General Assembly;

7. *Again calls upon* the Union of Soviet Socialist Republics and the present authorities in Hungary to desist from repressive measures against the Hungarian people and to respect the liberty and political independence of Hungary and the Hungarian people's enjoyment of fundamental human rights and freedoms;

8. *Declares* that the United Nations will continue to be seized of the situation in Hungary in view of the fact that the Government of the USSR and the present authorities in Hungary are disregarding the above-mentioned resolutions of the General Assembly;

9. *Decides* to appoint Sir Leslie Munro to represent the United Nations for the purpose of reporting to Member States or to the General Assembly on significant developments relating to the implementation of the resolutions of the General Assembly on Hungary;

10. *Requests* the Secretary-General to provide the necessary facilities to assist Sir Leslie Munro in the performance of his duties.

STATEMENT ON CREDENTIALS, DECEMBER 13

U.S. delegation press release 3138

The United States supports the report of the Credentials Committee.¹⁰ Again, as at every session since the 1956 Hungarian national uprising, the report recommends that the General Assembly take no decision regarding the credentials submitted on behalf of the representatives of the present regime in Hungary. Because it is clear that the present Hungarian authorities are not capable of representing the freedom-loving people of Hungary in the United Nations, the General Assembly has at five sessions allowed the Hungarian representatives to be seated in a provisional status only.

By refusing to accept the credentials of the Hungarian representatives, the General Assembly placed the present regime on notice that it intended to watch the situation in Hungary closely. I would like to recall a few of the things which the United Nations has discovered about the present Hungarian regime in the course of the past 2 years.

In resolution 1004, which was passed at the second emergency session, the General Assembly stated its conviction

... that recent events in Hungary manifest clearly the desire of the Hungarian people to exercise and to enjoy fully their fundamental rights, freedom and independence.

¹⁰ U.N. doc. A/4074.

The same resolution condemned the use of Soviet military forces to suppress the efforts of the Hungarian people to reassert their rights.

Among other things, the General Assembly in resolution 1133 of the 11th session found that

The present Hungarian régime has been imposed on the Hungarian people by the armed intervention of the Union of Soviet Socialist Republics.

In the same resolution an appeal was made to the Union of Soviet Socialist Republics and the present Hungarian authorities to cease their acts of repression and to comply with the numerous resolutions of the General Assembly.

On the night of June 16, 1958, in simultaneous announcements in Moscow and Budapest, the world learned of the execution of former Prime Minister Imre Nagy and former Minister of Defense Pal Maleter and other Hungarian patriots. The execution of Mr. Nagy was in violation of the pledged word of the present Hungarian regime that it did not seek vengeance, and, significantly, it occurred soon after a visit to Budapest by Mr. Khrushchev. The United Nations Special Committee on the Problem of Hungary reconvened on June 21, 1958, and issued a communique which contained the following statement:

The execution of Imre Nagy and of his companions demonstrates that the oppression of the Hungarian people has not abated, that the reign of terror which began when Russian forces marched into Hungary early in November 1956 continues.

Then there is the unanimous special report of the Special Committee on July 14, 1958, which, after referring to the continuing oppression in Hungary, made this comment:

The continued presence of foreign armed forces in Hungary is likely to prevent the expression of the feelings of the people against such procedures by the Hungarian government.

Mr. President, this is what the General Assembly and its representatives have determined to be the present situation in Hungary. The findings that I have mentioned are but a few of the reasons why the General Assembly under the existing circumstances should continue to refuse to accept the credentials submitted on behalf of the representatives of the present Hungarian regime.¹¹

¹¹ The General Assembly in plenary session on Dec. 13 approved the report of the Credentials Committee by a vote of 79 to 1 (Hungary) with 1 abstention.

U.N. To Convene Second Conference on the Law of the Sea

Following are two statements by Herman Phleger, U.S. Representative to the General Assembly, one made in Committee VI (Legal) on November 25 and the other in plenary session on December 10, together with the text of a resolution convening the second U.N. Conference on the Law of the Sea.

STATEMENT IN COMMITTEE VI, NOVEMBER 25

U.S. delegation press release 3091

In February 1958, pursuant to a General Assembly resolution,¹ the representatives of 86 states met at Geneva to consider the preparation of conventions on the law of the sea.² As a basis for their work they had the draft articles on the law of the sea which had been prepared by the International Law Commission. It is demonstrative of both the high quality of the Commission's work and the spirit of conciliation which marked the conference that agreement was reached on almost all of the topics covered in the Commission's draft. However, there remained two important questions on which the conference was not able to reach agreement.

The breadth of the territorial sea and the closely related question of the extent to which a coastal state may control fishing in the high seas off its coasts were not agreed upon, although in the course of the conference a number of proposals were put forward in an effort to meet the different views held concerning these questions. There is reason to believe that, if there had been a little more time to concentrate on the consideration of these questions, the conference would have reached agreement. Those delegates who were present at Geneva may recall that the possibilities of agreement on these questions had not been exhausted; active discussions were continued until the time schedule necessary to conclude the conference.

On April 27, the last day of the conference, a resolution was adopted noting that agreement had not been reached on these questions and requesting the General Assembly at its 13th session to con-

sider the advisability of convening a second conference on the law of the sea to deal with these topics of unfinished business. Thus we are now considering the agenda item before us.

It seems evident from the course of this debate that there is a wide measure of agreement on the desirability, and indeed the necessity, of holding a second conference. The task before us, therefore, is to reach agreement on an appropriate date.

My delegation is not able to agree with some suggestions that have been made, that the convocation of the conference be put off for 2 or even 3 years. It seems clear that no such extended period of time is required to make proper preparation for a second conference, particularly as the questions at issue were on the agenda of the first conference and received extensive consideration at that time. Apart from that consideration, however, there are compelling reasons which argue for an earlier date.

One of these is the existence of actual disputes in some parts of the world as to the breadth of the territorial sea and particularly regarding fishing rights in waters off the coasts of other states. Great practical benefit would result from early agreement on rules which would resolve these disputes. Uncertainties would thereby be removed, and sources of tension and potentially serious international friction would be eliminated. One of the basic purposes of the United Nations is to adjust international differences and to promote friendly relations between states. The timely convocation of a second conference on the law of the sea can contribute significantly to the achievement of these purposes.

There are other compelling reasons for holding the conference at a relatively early date. In the 6 months during which the four conventions prepared at the 1958 Geneva conference remained open for signature, 49 states signed one or more of the conventions and 44 states have signed the convention on the territorial sea and contiguous zones.

This last figure is of particular significance. To give full meaning to and to permit practical application of the convention on the territorial sea, it is necessary to find agreed answers to the yet unresolved questions of the breadth of the territorial sea and of fishery limits. Indeed, it seems reasonable to anticipate that a number of states which have signed this convention will not be

¹ For text, see BULLETIN of Jan. 14, 1957, p. 61.

² For a closing statement by Arthur Dean, chairman of the U.S. delegation, and texts of conventions, protocol, and resolutions, see *ibid.*, June 30, 1958, p. 1110.

prepared to ratify it in advance of knowing the answers to these unresolved questions. The United States submits that answers to these questions should be found at an early date. Then and then only can the work of the first Geneva conference be given complete and practical effect.

Nor is my delegation able to agree with the thesis that it is not practicable to fix the date of a second conference without first considering the nature and substance of proposals which might be made at such a conference to resolve the unresolved questions. Indeed, this would amount to prejudging the questions to be considered at the reconvened conference even if it were possible to advance specific proposals at this time, which it is not.

A preparatory period before the next conference is necessary for the very purpose of developing possible solutions which can obtain the necessary support and acceptance. It would, to say the least, be an anomaly to suggest that the likely formulae for resolving the existing differences be first advanced and tested in this committee. That is the purpose, function, and responsibility of a second conference.

My delegation supports the calling of a second conference in the belief that the issues involved are of such importance that they will affect the peace of the international community if they are left unresolved. And it is also our belief that the states concerned will be inspired to compose their differing views and reach agreement in conformity with the principles of justice and international law.

In considering the most desirable date for a second conference we must take into account the necessity for adequate preparation. We believe that, with the background of the work by the Geneva conference, the required consultations can be carried out within a reasonable period. Protracted delay would be prejudicial. It would lose much of the advantage of the work and experience gained at Geneva, and it might in fact result merely in postponing the initiation of the diplomatic preparations for the conference.

It is obvious that a reasonable period for preparatory work and discussion is necessary. In our view there would not be sufficient time for this preparation if a second conference were scheduled to meet in the first months of 1959. Much as we sympathize with those delegations which have

expressed themselves in favor of holding a second conference as early as February 1959, we believe prudence counsels a reasonable period in which to make ready.

When the various relevant factors are taken into account, it seems reasonable to conclude that the summer of 1959 is the best date for scheduling the second conference. Following wide consultations on the question, this date was incorporated in the draft resolution which has been introduced by 11 delegations.³ It is our hope that next summer will prove a generally acceptable date.

The terms of reference under which the second conference is to be convoked must be carefully chosen. We ought not to prejudice the success of agreement on the territorial sea and fishery limits by including additional topics in the work of the conference. In our view the phrase "the breadth of the territorial sea and fishery limits" contained in the 11-power resolution appropriately states the scope of the second conference.

In regard to various details in the convoking of the new conference, the present Assembly can usefully follow the precedent of the resolution under which the first conference was convoked. I am sure those delegations which participated in the first conference will agree that no serious problems were experienced in the implementation of that resolution. Moreover, since the second conference is a direct extension of the first, it would seem logical that it should be convoked under similar terms.

In conclusion, Mr. Chairman, I should like to urge that the draft resolution submitted by 11 delegations, including my own, be approved as representing a reasonable accommodation of diverse views on the question of date and as offering the best hope of providing for a successful second conference.

STATEMENT IN PLENARY, DECEMBER 10

U.S. delegation press release 3124

Since the voting on the present matter which took place in the Sixth Committee, the United States has given earnest consideration to the question of how the prospects for a successful second conference on the law of the sea could be maxi-

³ U.N. doc. A/C.6/L.442.

mized. We have engaged in consultations with a number of delegations, including sponsors of the amendment which was defeated by a narrow margin in the committee.

The United States delegation was approached by the delegation of Mexico earlier this week. The sponsors of the committee amendment have now proposed a change in the date of the second conference from July or August 1959 to "the earliest convenient date in March or April 1960." The change is embodied in the amendment appearing in document A/L. 253, which is now before the Assembly. The United States delegation is prepared to accept this change. We do so because we believe that the conference at a later date will command the support of a very large majority of the members of this Assembly. We believe that such support will enhance the prospects of success at the conference.

It is our understanding, from the consultations we have held, that states throughout the world, including many which had opposed the holding of a conference in 1959, will work for the successful outcome of a conference in 1960. With such an attitude on the part of the prospective participants, the conference should be able to reach agreement on the issues left unresolved by the first Geneva conference. We look forward to fruitful cooperation at the second conference and to an atmosphere of accommodation and conciliation during the period of the very necessary preparations which must precede the conference. It is implicit that during this period governments will not take actions which would prejudice the success of the conference.

The amendment proposed by Mexico sets the timing of the second conference at "the earliest convenient date in March or April 1960." We understand this wording is chosen to avoid any conflict with the 11th Inter-American Conference, which is to convene late in January 1960. On this basis the second conference on the law of the sea could meet by early March. We believe it is appropriate to leave the precise date to be fixed by the Secretary-General on the basis of consultations with governments.

The United States recognizes that setting a date for the conference subsequent to the summer of 1959 creates special problems for some countries in certain regions. In regard to the important

problems of those communities which are primarily dependent upon fisheries near their coasts, it is the view of the United States that efforts to deal with them should not be delayed until the convening of the second conference on the law of the sea. Indeed, we think that efforts should be made without delay to secure a satisfactory resolution of any such problems. This purpose will guide the policy and actions of the United States Government. The United States would welcome discussions between the parties concerned to find acceptable solutions and is prepared to lend its active assistance to this end.

TEXT OF RESOLUTION¹

The General Assembly,

Having received the resolution adopted on 27 April 1958 by the United Nations Conference on the Law of the Sea,² requesting the General Assembly to study at its thirteenth session the advisability of convening a second international conference of plenipotentiaries for further consideration of questions left unsettled by the Conference,

Recalling that the Conference made an historic contribution to the codification and progressive development of international law by preparing and opening for signature conventions on nearly all of the subjects covered by the draft articles on the law of the sea drawn up by the International Law Commission,³

Noting that no proposal concerning the breadth of the territorial sea or fishery limits received the two-thirds majority required for adoption by the Conference,

Believing that the desire for agreement on these two vital issues continues and that agreement thereon would contribute substantially to the lessening of international tensions and to the preservation of world order and peace,

Convinced that to reach such agreement it is necessary to undertake considerable preparatory work so as to ensure reasonable probabilities of success,

1. *Decides* that a second international conference of plenipotentiaries on the law of the sea should be called for the purpose of considering further the questions of the breadth of the territorial sea and fishery limits;

2. *Requests* the Secretary-General to convoke the conference at the earliest convenient date in March or April

¹ U.N. doc. A/Res/1307 (XIII); adopted in plenary session on Dec. 10 by a vote of 71 to 0 with 6 abstentions.

² United Nations Conference on the Law of the Sea, *Official Records, Volume II: Plenary Meetings* (United Nations publication, Sales No.: 58.V.4, vol. II), annexes, document A/CONF.13/L.56, resolution VIII. [Footnote in original.]

³ *Official Records of the General Assembly, Eleventh Session, Supplement No. 9 (A/3159)*, para. 33. [Footnote in original.]

1960, at the European Office of the United Nations in Geneva;

3. *Invites* all States Members of the United Nations and States members of the specialized agencies to participate in the conference and to include among their representatives experts competent in the matters to be considered;

4. *Requests* the Secretary-General to invite specialized agencies and inter-governmental bodies concerned with the matters to be considered to send observers to the conference;

5. *Requests* the Secretary-General to arrange for the necessary staff and facilities which would be required for the conference, and to present to the conference recommendations concerning its methods of work and procedures, and other questions of an administrative nature;

6. *Refers* to the conference for its information the relevant records of the United Nations Conference on the Law of the Sea held in 1958.

President Appoints Members to Caribbean Commission

The White House on December 24 announced that the President had on that day appointed the following-named persons for 2-year terms as Commissioners of the U.S. section of the Caribbean Commission: David E. Maas, vice E. Leonard Brewer; José Trias Monge (reappointment); Arturo Morales Carrion (reappointment).

U.S. Delegations to International Conferences

Fifth World Forestry Congress

The Department of State announced on December 19 (press release 764) that Richard E. McArdle, chief of the U.S. Forest Service, Department of Agriculture, has been named chairman of the Organizing Committee for the Fifth World Forestry Congress which will be held at Seattle, Wash., in 1960. The site of this international forestry meeting, the first for which the U.S. Government will be the host, is the campus of the University of Washington. Officially opening on August 29, 1960, this Congress will run until September 10. Official participation in this international congress will be upon invitation by the U.S. Government.

Henry Schmitz, president emeritus, University of Washington, has been named honorary vice

chairman. William M. Gibson, deputy director, Office of International Conferences, Department of State, will serve as vice chairman.

I. T. Haig, assistant to the chief, Forest Service, Department of Agriculture, has been designated executive secretary, and Harold A. Vogel, regional representative, Food and Agriculture Organization of the United Nations, has been named honorary member.

Members of the committee include persons active in forest conservation and the forest industries. Those designated members of the Organizing Committee are:

George B. Amidon, director of Woodlands Minnesota and Ontario Paper Co.

Kenneth E. Barraclough, extension forester, University of New Hampshire

Roy Battles, The National Grange

Paul W. Bedard, Office of Food and Agriculture, International Cooperation Administration

Willard S. Bromley, executive secretary-treasurer, American Pulpwood Association

Charles C. Butler, American Farm Bureau Federation

Charles H. Callison, Natural Resources Council of America

Whitford B. Carter, Los Angeles Watershed Commission

Fred H. Claridge, president, Association of State Foresters

Henry Clepper, executive secretary, Society of American Foresters

Kenneth Davis, Western director, United Brotherhood of Carpenters

Dwight B. Demeritt, vice president, Dead River Co.

Mortimer B. Doyle, executive vice president, National Lumber Manufacturers Association

Ursula Duffus, Office of International Economic and Social Affairs, Department of State

Paul M. Dunn, technical director of forestry, St. Regis Paper Co.

W. Jeter Eason, president, Forest Products Research Society

Alfred E. Fivaz, Forest Products Division, Department of Commerce

Edelen Fogarty, Office of International Resources, Department of State

Tom Gill, executive director, Charles Lathrop Pack Forestry Foundation

V. L. Harper, assistant chief, Forest Service, Department of Agriculture

Albert F. Hartung, president, International Woodworkers of America

Edwin F. Heacox, managing forester, Weyerhaeuser Timber Co.

James H. Kitchens, Jr., president, Council of Forestry Association Executives

Walter M. Leuthold, president, Deer Park Pine Industries, Inc.

Joseph E. McCaffrey, vice president, International Paper Co.

Gordon D. Marckworth, dean, College of Forestry, University of Washington
 David Mason, president, Mason, Bruce and Girard
 Robert E. O'Connor, executive secretary, American Paper and Pulp Association
 Kenneth B. Pomeroy, chief forester, American Forestry Association
 Harry V. Ryder, Jr., Office of International Conferences, Department of State
 O. Harry Schrader, Jr., general manager, Northwest Division, United States Plywood Corp.
 John F. Shanklin, Technical Review Staff, Office of the Secretary, Department of the Interior
 Hardy L. Shirley, dean, College of Forestry, State University of New York
 Richard W. Smith, manager, Natural Resources Department, Chamber of Commerce of the United States
 Edward P. Stamm, consultant, Crown Zellerbach Corp.
 John B. Veach, president, American Forest Products Industries
 Corydon Wagner, vice president, St. Paul and Tacoma Lumber Co.
 Lloyd T. Webster, State supervisor of forestry, Department of Natural Resources, Olympia, Wash.
 Charles L. Wheeler, vice president, Pope and Talbot, Inc.

Having as its theme the multiple-use aspects of forestry, the program of this Fifth Congress will emphasize the worldwide dependence of all nations and all peoples on forests and their related resources, including water, wildlife, and grass. Individual technical sessions will be scheduled on such subjects as silviculture, forest genetics, forest economics, forest products utilization, forest protection (from fire, insects, and disease), forest education, and the management of forest ranges and watersheds.

Papers to be presented at the Congress will be of two types: (1) those prepared by world authorities upon the invitation of the Program Committee and (2) papers submitted voluntarily by participants.

Preceding the technical sessions at Seattle, there will be a number of optional field tours for foreign foresters who may wish to visit places of special forestry interest in the United States and Canada. The excursions will be so planned as to enable visitors to observe a wide variety of forestry activities.

Current U.N. Documents: A Selected Bibliography¹

Security Council

- Report by the Secretary-General on the Plan for Withdrawal of the United Nations Observation Group in Lebanon submitted in pursuance of the resolution of the Security Council of 11 June 1958 (S/4023). S/4116. November 21, 1958. 3 pp. mimeo.
- Letter Dated 27 November 1958 From the Permanent Representative of Saudi Arabia Addressed to the President of the Security Council. S/4119. November 28, 1958. 3 pp. mimeo.
- Letter Dated 29 November 1958 From the Permanent Representative of Cambodia Addressed to the Secretary-General. S/4121. December 2, 1958. 4 pp. mimeo.
- Letter Dated 3 December 1958 Addressed to the Secretary-General of the United Nations by the Ambassador of the Republic of Guinea. S/4122. December 3, 1958. 13 pp. mimeo.
- Letter Dated 4 December 1958 From the Permanent Representative of Israel Addressed to the President of the Security Council. S/4123. December 4, 1958. 2 pp. mimeo.
- Report of the Chief of Staff of the United Nations Truce Supervision Organization in Palestine on the Incident of 3 December 1958 Between Israel and Syria in the Hula Area. S/4124. December 8, 1958. 15 pp. mimeo.
- Letter Dated 8 December 1958 From the Permanent Representative of Thailand to the United Nations Addressed to the Secretary-General. S/4126. December 8, 1958. 4 pp. mimeo.
- Letter Dated 10 December 1958 From the Permanent Representative of the United Kingdom Addressed to the President of the Security Council About an Alleged Incident at Khor al Odaid. S/4134. December 11, 1958. 2 pp. mimeo.

General Assembly

- Question of Nuclear Weapons Tests. Letter dated 15 November 1958 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations, addressed to the Secretary-General. A/4015. December 1, 1958. 4 pp. mimeo.
- Administrative and Budgetary Co-ordination Between the United Nations and the Specialized Agencies: Budget of the International Atomic Energy Agency for the Financial Year 1959. Thirteenth report of the Advisory Committee on Administrative and Budgetary Questions to the thirteenth session of the General Assembly. A/4016. December 1, 1958. 10 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York 27, N. Y. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

Agreement With the European Atomic Energy Community

Following is the text of an agreement signed at Brussels on November 8, 1958, by representatives of the U.S. Government and the six-nation European Atomic Energy Community, which provides for establishment of a joint nuclear power program.¹

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM) CONCERNING PEACEFUL USES OF ATOMIC ENERGY

WHEREAS the Government of the United States of America and the European Atomic Energy Community (EURATOM) on May 29 and June 18, 1958 signed an agreement² which provides a basis for cooperation in programs for the advancement of the peaceful applications of atomic energy;

WHEREAS the Government of the United States of America and the European Atomic Energy Community (EURATOM) recognize that it would be to their mutual benefit to cooperate by establishing a joint program:

(a) To bring into operation within the European Atomic Energy Community (EURATOM) large-scale power plants using nuclear reactors of types on which research and development have been carried to an advanced stage in the United States, having a total installed capacity of approximately one million kilowatts of electricity by December 31, 1963 (except that two reactors may be selected to be in operation by December 31, 1965), and under conditions which would approach the competitive range of conventional energy costs in Europe;

(b) To initiate immediately a joint research and development program centered on these types of reactors;

The Parties agree as follows:

ARTICLE I

A. Under the joint program, reactor projects may be proposed, constructed and operated by private or governmental organizations in the Community engaged in the power industry or in the nuclear energy field. Such projects will be selected in accordance with technical

standards, criteria (including those relating to radiation protection and reactor safety), and procedures developed by the United States Atomic Energy Commission (hereinafter referred to as the "United States Commission") and the Commission of the European Atomic Energy Community (hereinafter referred to as the "EURATOM Commission"). In the evaluation and selection of such reactor projects, the technical and economic features will be considered and approved jointly by the United States Commission and the EURATOM Commission. Other features of such reactor projects will be considered and approved by the EURATOM Commission. Reactors now being planned or constructed in Member States of the Community will be eligible for, and will receive, early consideration under the criteria established pursuant to this paragraph.

B. The total capital cost, exclusive of the fuel inventory, of the nuclear power plants with an installed capacity of approximately one million kilowatts of electricity to be constructed under the program is estimated not to exceed the equivalent of \$350,000,000 to be financed as follows:

1. Approximately \$215,000,000 to be provided by the participating utilities and other European sources of capital, such financing to be arranged with the appropriate assistance of the Community; and

2. Up to \$135,000,000 to be provided by the Government of the United States of America to the Community in the form of a long-term line of credit on terms and conditions to be agreed, including terms and conditions satisfactory to the Parties regarding security for such loan, such funds to be re-lent by the Community for the construction of facilities under this program.

C. The United States Commission and the EURATOM Commission will enter into special arrangements with respect to the fuel cycle of reactors to be constructed and operated under the joint program according to the principles set forth in Annex "A" to this Agreement.

ARTICLE II

A. The United States Commission and the EURATOM Commission under mutually agreed arrangements intend to initiate a program of research and development to be conducted both in the United States and in Europe on the types of reactors to be constructed under the joint program. This research and development program will be aimed primarily at the improvement of the performance of these reactors, and at lowering fuel cycle costs. It will also deal with plutonium recycling and other problems relevant to these reactors.

¹ For an announcement of the signing, see BULLETIN of Nov. 24, 1958, p. 830. (NOTE: The reference in the footnote on p. 830 is incorrect. The agreement of June 18, to which it refers, was a preliminary agreement.)

² For text, see *ibid.*, July 14, 1958, p. 70.

B. The research and development program will be established for a ten (10) year period. During the first five (5) years the financial contribution of the Government of the United States of America and the Community will amount to about \$50,000,000 each. Prior to the completion of the first five-year period the Parties will determine the financial requirements for the remaining five-year period and will undertake to procure funds necessary to carry out the program. Funds for the second five-year period may be in the same order of magnitude.

C. The administration of this program will be conducted under arrangements to be mutually agreed.

ARTICLE III

A. The United States Commission will sell to the Community uranium enriched in the isotope U-235 for use in projects designated by the Parties pursuant to the joint program up to a net amount of thirty thousand (30,000) kilograms of contained U-235 in uranium. This net amount shall be the gross quantity of contained U-235 in uranium sold to the Community less the quantity of contained U-235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America or transferred to any other nation or international organization with the approval of the Government of the United States of America. The United States Commission will also from time to time sell to the Community such quantities of special nuclear material, in addition to the quantities of enriched uranium set forth above, as may be agreed.

B. Contracts for the sale of special nuclear materials will specify the quantities to be supplied, composition of material, compensation for material, delivery schedules and other necessary terms and conditions. Such contracts for the sale of enriched uranium for fueling power reactors under the joint program may also provide, under terms and conditions to be agreed, that payment for such enriched uranium may be made on a deferred basis. Such terms and conditions will include an obligation that the Community return to the United States Commission enriched uranium to the extent that there is default in payment. The Community will grant no rights to third parties that may be inconsistent with such obligation. The uranium supplied hereunder for use in reactors designed for production of electric power may be enriched up to twenty percent (20%) by weight in the isotope U-235. The United States Commission, however, may, upon request and in its discretion, make a portion of the foregoing enriched uranium available as material enriched up to ninety percent (90%) for use in materials testing reactors and research reactors, each capable of operating with a fuel load not to exceed eight (8) kilograms of contained U-235 in uranium, and as highly enriched material for use for research purposes.

C. It is agreed that the Community may distribute special nuclear material to authorized users in the Community; the Community will retain, pursuant to the Treaty establishing the European Atomic Energy Community, title to any special nuclear material which is purchased from the United States Commission.

D. The United States Commission is prepared to perform while such services are available from the Com-

mission to its licensees in the United States, and on terms and conditions to be agreed, chemical reprocessing services with respect to any source or special nuclear material received by the Community from the United States under this program. It is agreed that such reprocessing will be performed at established United States domestic prices in effect upon delivery of such material. It is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from reactors and prior to delivery to the United States Commission or to other facilities. Special nuclear material and other material recoverable from material returned to the United States for reprocessing will be returned to the Community unless otherwise agreed. It is anticipated that any withdrawal by the United States Commission of chemical reprocessing services will be based upon the availability of commercial facilities to meet requirements for such services at reasonable prices, including the requirements of projects in the joint program. The United States Commission will give written notice to the Community of non-availability of its chemical reprocessing services twelve (12) months prior to such non-availability.

E. With respect to any special nuclear material produced in reactors fueled with materials obtained from the United States under this Agreement which is in excess of the need of the Community for such material for the peaceful uses of atomic energy, the International Atomic Energy Agency is granted the right of first option to purchase such material at the announced fuel value price in effect in the United States at the time of purchase. In the event this option is not exercised by the International Atomic Energy Agency, the Government of the United States of America is prepared to purchase such material at the United States announced fuel value price in effect at the time of purchase. However, with respect to plutonium produced in any reactor constructed under the joint program, no purchase commitment shall extend for a period beyond ten (10) years of operation of such reactor, or December 31, 1973 (or December 31, 1975, for not more than two reactors selected under Article I, A), whichever is earlier. Extension of such period will be the subject of negotiation on the request of either Party.

ARTICLE IV

The United States Commission will assist the EURATOM Commission in obtaining reactor materials other than special nuclear material from private organizations located in the United States if the EURATOM Commission desires such assistance. If no commercial sources are available, specific arrangements may be made by the Parties, from time to time, under terms and conditions to be agreed, for the transfer of such materials.

ARTICLE V

Persons under the jurisdiction of the Government of the United States of America or within the Community will be permitted to make arrangements to transfer and export material, including equipment and devices, to, and perform services for, the other Party and such persons under the jurisdiction of the Government of the United

States of America or within the Community (as the case may be) as are authorized by the appropriate Party to receive and possess such material and utilize such services, subject to applicable laws, directives, regulations and license requirements of the Government of the United States of America, the Community and the Member States of the Community.

ARTICLE VI

A. 1. Under mutually agreed arrangements, all non-patentable information developed in connection with the joint program of research and development, and all non-patentable information developed in connection with the selected projects, concerning designs, plans and specifications, construction costs, operations and economics, will be delivered currently to the Parties as developed and may be used, disseminated, or published by each Party for any and all purposes as it sees fit without further obligation or payment. There will be no discrimination in the dissemination or use of such information for the reason that the proposed recipient or user is a national of the United States or of any Member State of the Community.

2. Both Parties shall have access to the records of the participating contractors pertaining to their participation in research and development projects under the joint research and development program, or pertaining to the performance of fuel elements that are the subject of United States guarantees.

B. The United States Commission and the EURATOM Commission shall also exchange other unclassified information in fields related to the peaceful uses of atomic energy to further the joint program. Such exchange of information shall include technical advice in the design and construction of future reprocessing plants which the Community may decide to design and construct or sponsor.

C. The Parties will expedite prompt exchange of information through symposia, exchange of personnel, setting up of combined teams, and other methods as may be mutually agreed.

D. Except as otherwise agreed, the application or use of any information (including designs, drawings and specifications) and any material, equipment, and devices, exchanged or transferred between the Parties under this Agreement, shall be the responsibility of the Party receiving it, and the other Party does not warrant the accuracy or completeness of such information, nor the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE VII

A. As to any invention made or conceived in the course of or under the joint program of research and development:

1. The Government of the United States of America shall without further obligation or payment be entitled to assignment of the title and rights in and to the invention and the patents in the United States subject to a non-exclusive, irrevocable, and royalty-free license, with

the right to grant sublicenses, to the Community for all purposes.

2. The Community shall without further obligation or payment be entitled to assignment of the title and rights in and to the invention and the patents in the Community subject to a non-exclusive, irrevocable, and royalty-free license, with the right to grant sublicenses, to the Government of the United States of America for all purposes.

3. With respect to title and rights in and to the invention and patents in third countries:

a. The Government of the United States of America, if the invention is made or conceived within the United States, or the Community, if the invention is made or conceived within the Community, shall be entitled to assignment of such title and rights, subject to a non-exclusive, irrevocable, and royalty-free license, with the right to grant sublicenses, to the other Party for all purposes.

b. If the invention is made or conceived elsewhere, the Party contracting for the work shall be entitled to assignment of such title and rights, subject to a non-exclusive irrevocable, and royalty-free license, with the right to grant sublicenses, to the other Party for all purposes.

B. As to inventions and patents under paragraph A of this Article neither Party shall discriminate in the granting of any license or sublicense for the reason that the proposed licensee or sublicensee is a national of the United States or of any Member State of the Community.

C. As to patents used in the work of the joint program, other than those under paragraph A, which the Government of the United States of America owns or as to which it has the right to grant licenses or sublicenses, the Government of the United States of America will agree to grant licenses or sublicenses, covering use either in or outside the joint program, on a non-discriminatory basis to a Member State and to industry of a Member State, if the Member State has agreed to grant licenses or sublicenses as to patents used in the work of the joint program which it owns or as to which it has the right to grant licenses or sublicenses, on a non-discriminatory basis to the Government of the United States of America and to industry of the United States, covering use either in or outside the joint program.

D. The respective contractual arrangements of the Parties with third parties shall contain provisions that will enable each Party to effectuate the provisions of paragraphs A and B of this Article as to patentable information.

E. It is recognized that detailed procedures shall be jointly established to effectuate the foregoing provisions and that all situations not covered shall be settled by mutual agreement governed by the basic principle of equivalent benefits to both Parties.

ARTICLE VIII

The United States Commission and the EURATOM Commission will work closely together to develop training programs to satisfy requirements of the joint program. The Parties may under mutually agreeable terms

and conditions make available their facilities for use by the other, including facilities to satisfy training needs.

ARTICLE IX

The Government of the United States of America and the Community recognize that adequate measures to protect equipment manufacturers and other suppliers as well as the participating utilities against now uninsurable risks are necessary to the implementation of the joint program. The EURATOM Commission will seek to develop and to secure the adoption, by the earliest practicable date, of suitable measures which will provide adequate financial protection against third party liability. Such measures could involve suitable indemnification guarantees, national legislation, international convention, or a combination of such measures.

ARTICLE X

The EURATOM Commission will take all action open to it under the Treaty establishing the European Atomic Energy Community to minimize the impact of customs duties on goods and products imported under the joint program.

ARTICLE XI

The Community guarantees that:

1. No material, including equipment and devices, transferred pursuant to this Agreement to the Community or to persons within the Community, will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose;

2. No such material will be transferred to unauthorized persons or beyond the control of the Community, except as the Government of the United States of America may agree to such transfer and then only if the transfer of the material is within the scope of an Agreement for Cooperation between the Government of the United States of America and another nation or group of nations;

3. No source or special nuclear material utilized in, recovered from, or produced as a result of the use of materials, equipment or devices transferred pursuant to this Agreement to the Community or to persons within the Community will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose;

4. The Community will establish and maintain a mutually satisfactory system of safeguards and control as provided in Article XII, to be applied to materials, equipment and devices subject to the guarantees set forth in paragraphs 1 through 3 of this Article.

ARTICLE XII

A. The Community undertakes the responsibility for establishing and implementing a safeguards and control system designed to give maximum assurance that any material, equipment or devices made available pursuant to this Agreement and any source or special nuclear material derived from the use of such material, equipment and devices, shall be utilized solely for peaceful purposes. In establishing and implementing its safeguards and control system, the Community is prepared to consult with and exchange experiences with the International Atomic

Energy Agency with the objective of establishing a system reasonably compatible with that of the International Atomic Energy Agency. The Government of the United States of America and the Community agree that the principles which will govern the establishment and operation by the Community of a mutually satisfactory safeguards and control system under this Agreement are those which are set forth in Annex "B" to this Agreement. The Community shall be responsible for establishing and maintaining a mutually satisfactory and effective safeguards and control system which is in accord with the principles set forth in Annex "B" to this Agreement.

B. As has been requested by the Community, the Government of the United States of America will provide assistance in establishing the Community's safeguards and control system, and will provide continuing assistance in the operation of the system.

C. The Parties agree that there will be frequent consultations and exchanges of visits between the Parties to give assurance to both Parties that the Community's safeguards and control system effectively meets the responsibility and principles stated in paragraph A of this Article and that the standards of the materials accountability systems of the Government of the United States of America and the Community are kept reasonably comparable.

D. In recognition of the importance of the International Atomic Energy Agency, the Government of the United States of America and the Community will consult with each other from time to time to determine whether there are any areas of responsibility with regard to safeguards and control and matters relating to health and safety in which the Agency might be asked to assist.

E. It is understood by the Parties that a continuation of the cooperative program between the Government of the United States of America and the Community will be contingent upon the Community's establishing and maintaining a mutually satisfactory and effective safeguards and control system which is in accord with the principles set forth in Annex "B" to this Agreement.

ARTICLE XIII

The Government of the United States of America and the Community reaffirm their common interest in fostering the peaceful applications of atomic energy through the International Atomic Energy Agency and intend that the results of the joint program will benefit the Agency and the nations participating in it.

ARTICLE XIV

A. The Parties anticipate that from time to time they may enter into further agreements providing for cooperation in the peaceful aspects of atomic energy.

B. Article 106 of the Treaty establishing the European Atomic Energy Community contemplates that Member States which before the date of entry into force of that Treaty have concluded agreements with third countries for cooperation in the field of nuclear energy shall jointly with the EURATOM Commission enter into the necessary negotiations with third countries in order as far as possible to cause the rights and obligations arising out of such agreements to be assumed by the Community. The

Government of the United States of America is prepared to enter into such negotiations with reference to any agreement to which it is a party.

C. Existing agreements for cooperation in the field of nuclear energy between Member States and the Government of the United States of America are not modified by the joint program. Modifications may be made as necessary by mutual agreement between the Member States concerned and the United States to permit transfers of reactor projects now contemplated under existing agreements that qualify for and are accepted under the joint program.

ARTICLE XV

For the purposes of this Agreement:

(a) "Person" means any individual, enterprise, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation, but does not include the Parties to this Agreement.

(b) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which either Party determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(c) "Source material" means (1) uranium, thorium, or any other material which is determined by either Party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either Party may determine from time to time.

(d) "Parties" means the Government of the United States of America, including the United States Atomic Energy Commission on behalf of the Government of the United States of America, and the European Atomic Energy Community (EURATOM), acting through its Commission. "Party" means one of the Parties.

ARTICLE XVI

A. The Parties agree that the establishment and initiation of the joint program and the undertakings of the Parties under this Agreement are subject to appropriate statutory steps, including authorization by competent bodies of the Government of the United States of America and the Community, and the provisions of applicable laws, regulations and license requirements in effect in the United States and in the Community and within the Member States.

B. This Agreement shall enter into force on the day on which each Party shall have received from the other Party written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Agreement and shall remain in force for a period of twenty-five (25) years.

IN WITNESS WHEREOF, the undersigned representatives duly authorized thereto have signed this Agreement.

DONE at Brussels on November 8, 1958, in duplicate, in the English, French, German, Italian, and Netherlands languages, each language being equally authentic.

For the Government of the United States of America:
Pour le Gouvernement des Etats-Unis d'Amerique:

Für die Regierung der Vereinigten Staaten von Amerika:
Per el Governo degli Stati Uniti d'America:
Voor de Regering van de Verenigde Staten van Amerika:

W. W. BUTTERWORTH
JOHN A. McCONE

For the European Atomic Energy Community (EURATOM):

Pour la Communauté Européenne de l'Energie Atomique (EURATOM):

Für die Europäische Atomenergiegemeinschaft (EURATOM):

Per la Comunità Europea dell'Energia Atomica (EURATOM):

Voor de Europese Gemeenschap voor Atoomenergie (EURATOM):

L. ARMAND
ENRICO MEDI
PAUL DE GROOTE
HEINZ L. KREKELER
SABSEN

Annex "A"

With the objective of assuring the success of the joint program, the United States Commission will offer guarantees designed to limit certain financial risks associated with the fuel cycle.

These guarantees will be extended in the form of maximum charges for fabrication of the fuel elements and minimum integrity of the fuel elements under irradiation. They will be offered only to the extent that equivalent or better guarantees are not available commercially.

The liability of the United States Commission under these guarantees will be limited to meeting guaranteed maximum charges for fabricated fuel elements and to the adjustment of charges for fabrication, chemical reprocessing, and transportation of fuel elements when required by failure to meet guaranteed integrity.

The guarantees will provide for equitable sharing of decreases in costs realized through fuel performance in excess of guaranteed levels, the United States share not to exceed costs experienced by the United States Commission under these guarantees.

The guarantees provided by the United States Commission will be applicable to all loadings made in reactors under the joint program during ten (10) years of operation or prior to December 31, 1973 (or December 31, 1975, for not more than two reactors selected under Article I, A, of this Agreement for Cooperation), whichever is earlier.

Annex "B"

PRINCIPLES FOR ESTABLISHING THE SAFEGUARDS AND CONTROL SYSTEM UNDER THIS AGREEMENT

The principles which will govern the establishment and operation of the safeguards and control system are as follows:

The EURATOM Commission will:

1. Examine the design of equipment, devices and facilities, including nuclear reactors, and approve it for the

purpose of assuring that it will not further any military purpose and that it will permit the effective application of safeguards, if such equipment, devices and facilities:

(a) are made available pursuant to this Agreement; or
(b) use, process or fabricate any of the following materials received from the United States: source or special nuclear material, moderator material or any other material relevant to the effective application of safeguards; or

(c) use any special nuclear material produced as the result of the use of equipment or material referred to in subparagraphs (a) and (b).

2. Require the maintenance and production of operating records to assure accountability for source or special nuclear material made available, or source or special nuclear material used, recovered, or produced as a result of the use of source or special nuclear material, moderator material or any other material relevant to the effective application of safeguards, or as a result of equipment, devices and facilities made available pursuant to this Agreement.

3. Require that progress reports be prepared and delivered to the EURATOM Commission with respect to projects utilizing material, equipment, devices and facilities referred to in paragraph 2 of this Annex.

4. Establish and require the deposit and storage, under continuing safeguards, in EURATOM facilities of any special nuclear material referred to in paragraph 2 of this Annex which is not currently being utilized for peaceful purposes in the Community or otherwise transferred as provided in the Agreement for Cooperation between the Government of the United States of America and the Community.

5. Establish an inspection organization which will have access at all times:

(a) to all places and data, and
(b) to any person who by reason of his occupation deals with materials, equipment, devices or facilities safeguarded under this Agreement, necessary to assure accounting for source or special nuclear material subject to paragraph 2 of this Annex and to determine whether there is compliance with the guarantees of the Community. The inspection organization will also be in a position to make and will make such independent measurements as are necessary to assure compliance with the provisions of this Annex and the Agreement for Cooperation.

It is the understanding of the Parties that the above principles applicable to the establishment of the Community's inspection and control system are compatible with and are based on Article XII of the Statute of the International Atomic Energy Agency, Chapter VII of Title Two of the Treaty establishing the European Atomic Energy Community, and those adopted by the Government of the United States of America in its comprehensive Agreements for Cooperation.

Current Actions

MULTILATERAL

Postal Services

Universal postal convention with final protocol, annex, regulations of execution, and provisions regarding air-mail with final protocol. Done at Ottawa October 3, 1957.¹

Ratifications deposited: Japan, November 7, 1958; Switzerland, November 14, 1958.

War

Geneva convention relative to treatment of prisoners of war;

Geneva convention for amelioration of condition of wounded and sick in armed forces in the field;

Geneva convention for amelioration of condition of wounded, sick and shipwrecked members of armed forces at sea;

Geneva convention relative to protection of civilian persons in time of war.

Dated at Geneva August 12, 1949. Entered into force October 21, 1950; for the United States February 2, 1956. TIAS 3364, 3362, 3363, and 3365, respectively. *Accession deposited:* Cambodia, December 8, 1958.

BILATERAL

Brazil

Agreement further amending the agricultural commodities agreement of December 31, 1953, as amended (TIAS 3725, 3864, and 4074). Effected by exchange of notes at Washington December 12, 1958. Entered into force December 12, 1958.

Muscat, Oman, and Dependencies

Treaty of amity, economic relations and consular rights. Signed at Salalah December 20, 1958. Enters into force 1 month after the exchange of ratifications.

Spain

Agreement amending the memorandum of understanding attached to the offshore procurement agreement of July 30, 1954, as amended (TIAS 3094 and 3721). Effected by exchange of notes at Madrid October 29 and November 11, 1958. Entered into force November 11, 1958.

DEPARTMENT AND FOREIGN SERVICE

Designations

Leland Barrows as Regional Director of the International Cooperation Administration for the Near East and South Asia, effective December 15, 1958. (For biographic details, see press release 757 dated December 15.)

Horace E. Henderson as Deputy Assistant Secretary for International Organization Affairs, effective January 9, 1959. (For biographic details, see press release 753 dated December 15.)

¹ Not in force.

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No.	Date	Subject
770	12/23	U.S.-New Zealand scientific operations.
771	12/22	Economic, amity, and consular treaty with Muscat and Oman.
*772	12/22	Educational exchange.
*773	12/23	Death of Ross Moore.
774	12/24	DLF loan to India.

*Not printed.

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